

7 FAM 1300 APPENDIX Q CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM (CPIAP)

(CT:CON-450; 03-25-2013)
(Office of Origin: CA/OCS/L)

7 FAM 1310 APPENDIX Q SUMMARY

(CT:CON-450; 03-25-2013)

- a. The Children's Passport Issuance Alert Program (CPIAP) is an important Department tool for preventing international parental child abduction.
- b. The program allows parents or other concerned parties (see 7 FAM 1340 Appendix Q paragraph b) to register their U.S. citizen children under the age of 18 in the Bureau of Consular Affairs (CA), Passport Services Directorate's (CA/PPT) Consular Lookout and Support System (CLASS). If a passport application is submitted for a child who is registered in CPIAP, the Office of Children's Issues, Prevention Branch (CA/OCS/CI) contacts and alert the parent(s), legal guardian(s) or custodial entity who registered the child in CPIAP. This program provides concerned parents warning of possible plans for international travel with the child.
- c. This Appendix explains the roles, responsibilities and procedures for CPIAP and how the program is coordinated among the domestic passport agencies and centers, overseas posts, and CA/OCS/CI.

7 FAM 1320 APPENDIX Q AUTHORITIES

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- a. 22 CFR 51.28 provides that a passport may be denied to a minor when:
 - (1) A court order prohibits the minor's travel without permission of both parents or the court;
 - (2) A parent with sole or joint legal custody objects to issuance; or
 - (3) A court order requires permission of both parents, or a court to make important decisions regarding the minor.

<p>NOTE: For purposes of this appendix, a "parent" is defined as a mother, father, or person/entity that has a legal relationship to the minor. A parent whose parental rights have been terminated by a court cannot request enrollment into CPIAP.</p>

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- b. 22 CFR 51.28(c) provides that a person having legal custody of a minor has authority to object to the issuance of a passport to that minor any time prior to issuance, and that the Department may deny issuance upon receipt of a written objection to issuance.
- c. Parents may request passport records for their minor children in accordance with the provisions of both 22 CFR 51.28(c)(5) and 22 CFR 171.32(c)(1) and (2). Passport agency/center or overseas post personnel must not provide copies of passport records without the express written authorization of the Law Enforcement Liaison Division (CA/PPT/L/LE). See 7 FAM 1340h(3) Appendix J for information on release of passport records.

Refer all requests for copies of passport records to:
U.S. Department of State
Passport Services
Law Enforcement Liaison Division (CA/PPT/L/LE)
1111 19th Street, N.W., Suite 500
Washington, DC 20522-1705

- d. Information about passport issuance may in some cases be shared with parents without going through CA/PPT/L/LE.
 - (1) Passport agencies/centers must refer all such requests to the CA/OCS/CI Prevention Branch when there is a CPIAP entry. All other requests must be referred to CA/PPT/L/LE.
 - (2) Overseas posts must send questions to CA/OCS/L, copying their CA/OCS CI country officer, if there is an open international parental child abduction (IPCA) case and/or CA/OCS/CI Prevention if there is a CPIAP entry.

7 FAM 1330 APPENDIX Q RESPONSIBILITIES

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- a. CA/OCS/CI's Prevention Branch is responsible for:
 - (1) Responding to public inquiries regarding CPIAP;
 - (2) Enrolling minors into CPIAP via the Passport Lookout Tracking System (PLOTS) and CLASS via PLOTS;

NOTE: (SBU) PLOTS will be phased out in the near future. Currently, the components of PLOTS related to passport fraud issues are being migrated into the Enterprise Case Assessment Service (ECAS). However, until it is phased-out, PLOTS will continue to be used for non-fraud lookouts.

- (3) Reviewing and processing all CLASS holds related to CPIAP;
- (4) Determining whether the applying parent has met the two-parent consent requirement in cases involving CLASS holds, in consultation with

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CA/OCS/L;

- (5) Removing minors from the CPIAP program and removing the minor's information from CLASS via PLOTS; and
- (6) Updating and closing the PLOTS case record when necessary.

b. Domestic passport agencies/centers and overseas posts must:

- (1) Direct any received CPIAP requests to CA/OCS/CI at PreventionMatters@state.gov;
- (2) Forward information on any CLASS returns to CA/OCS/CI at PreventionMatters@state.gov. A scanned (.pdf or .jpeg) copy of the passport application and all supporting documents (e.g., birth certificate, affidavits/statements, copies of identification or court orders), must be included with the email; and
- (3) Continue to adjudicate the application after receiving notification from CA/OCS/CI on "C" or "H" CLASS hold clearance.
 - (a) If CA/OCS/CI clears the "C" or "H" CLASS hold, the agency/center or overseas post must ensure that the passport application meets all other requirements prior to issuance. CA/OCS/CI's clearance is only with respect to the two-parent consent requirement and CLASS hold. The agency/center/post does not need to require further two-parent consent documentation for the application;
 - (b) If the application is denied because of the two-parent consent requirement, agencies/centers will prepare and send the Information Request Letter (IRL) designated by CA/OCS/CI to the applying parent. Overseas posts will prepare and send the denial letter to applying parent; and
 - (c) If CA/OCS/CI clears the "C" or "H" CLASS hold, but the application is deficient for some other reason (e.g., insufficient citizenship evidence, other CLASS hold problem), then passport agencies/centers will prepare and send the appropriate IRL to the applicant. Overseas posts will prepare and send the appropriate letter regarding the deficiency to the applicant.

c. Public inquiries regarding CPIAP must be directed to:

U.S. Department of State Office of Children's Issues ATTN: CPIAP 2201 C Street, N.W. SA-29 - 4th Floor Washington, D.C. 20520 Tel: 1-888-407-4747 E-mail: PreventAbduction@state.gov Web: www.travel.state.gov
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- d. Overseas Citizens Services' Office of Legal Affairs (CA/OCS/L) is responsible for providing legal advice to CA/OCS/CI in reference to the two-parent consent requirement in CPIAP cases.
- e. Passport Services' Charleston Passport Center (CA/PPT/CPC) is responsible for scanning CPIAP case documents received from CA/OCS/CI into PLOTS.

7 FAM 1340 APPENDIX Q ENTRY OF INFORMATION ON MINOR INTO CPIAP

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- a. A minor under the age of 18 who has not been emancipated may be enrolled into CPIAP.

NOTE: An emancipated minor is a child under the age of 18 who has been granted the rights of adulthood. In the United States minors can be emancipated by court order, by legally marrying, or by legally enlisting in the military. However, foreign countries may have different laws regarding emancipation. Consult with OCS/L (ASK-OCS-L-@state.gov) regarding any question about whether a minor is emancipated.

- b. A concerned parent of a U.S. citizen minor, his/her appointed representative (e.g., an attorney), a legal guardian, law enforcement, a competent authority, or a court of competent jurisdiction can request a CPIAP enrollment for the minor child.
- c. If a party (parent/guardian/court/attorney, or competent authority) contacts a passport agency/center, overseas post, or other CA office concerned about international parental child abduction, the office contacted should immediately forward biographical data for the child(ren) and contact information for the concerned party to the CA/OCS/CI Prevention Branch either at 1-888-407-4747 or PreventionMatters@state.gov. The party may also be referred directly to the Prevention Branch at 1-888-407-4747 or PreventAbduction@state.gov.

IMPORTANT NOTE: If a request is received from a concerned party after business hours and the request cannot wait until the next business day, send requests electronically to PreventionMatters@state.gov for entry into PLOTS and call the CA/OCS Duty Officer, who will notify the Prevention Duty Officer for action. The OCS Duty Officer can be reached through the Operations Center at 202-647-1512

- d. Information regarding a minor will be enrolled into CPIAP within 2 business days upon receipt by CA/OCS/CI.
- e. CA/OCS/CI's Prevention Branch CPIAP officers will request that the concerned party complete a Form DS-3077 "Request for Entry into the Children's Passport

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Issuance Alert Program” for each child.

(1) The Form DS-3077:

- (a) Allows the concerned party to request that CA/OCS/CI notify him/her if we receive a U.S. passport application for the named minor; if an application is currently pending; or, if there is any U.S. passport valid for the minor’s travel; and/or,
- (b) Allows the concerned party to object to the issuance of a U.S. passport to the aforementioned minor with the understanding that the Department is authorized to issue the passport in accordance with passport regulations. (See 22 CFR 51.28); and
- (c) Constitutes an affirmation by the requesting parents that his/her parental/guardianship rights to the child have not been terminated by court order.

(2) If the concerned party is unable to submit Form DS-3077, he/she can submit a written request for entry of the minor into the CPIAP program. The DS-3077 or written request should include the following information and documents:

- (a) Minor’s name;
- (b) Minor’s date of birth;
- (c) Minor’s place of birth;
- (d) Minor’s social security number (if known);
- (e) The requestor’s (parent/guardian/attorney/court, competent authority) contact information (i.e., mailing address, e-mail address, all telephone numbers);
- (f) A photocopy of an identity document (e.g., driver’s license, passport biographical page) from a requesting parent or guardian;
- (g) A photocopy of parentage documentation (e.g., U.S. or foreign (with translation if needed) birth certificates;
- (h) A photocopy of the complete and current custody/guardianship/adoption court order (with all pages, judge’s signature and file date), if available; and

<p>NOTE: A certified copy of the complete and current court order may be required if you have concerns that photocopied certified document is not official or has been altered.</p>
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- (i) If the requestor is acting on behalf of a parent or guardian (such as an attorney or relative) a notarized affidavit, with a photocopy of the parent’s identification document, naming the requestor as having authority to act on his/her behalf.

f. Upon receipt of a request for entry of a minor into CPIAP, Prevention Branch

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officers must:

- (1) Check PLOTS for an existing record, and if one is not found, enter information regarding the minor into PLOTS (see also the PLOTS Computer Based Training modules).
 - (a) If the minor was previously enrolled into CPIAP by the same requesting parent, inform him/her that his/her child is still in the program.
 - (b) If the minor is in CPIAP at the request of the other parent or some other party, enroll the child into PLOTS as though it were a new case.
 - (2) Enter a CLASS lookout for the minor with the correct reason and sub-reason code (see 7 FAM 1330 for appropriate sub-reason code to be used):
 - (a) The "C" CLASS Reason Code is used when one or both parents/guardians object to or asks for notification before issuance of a passport to a minor; and
 - (b) The "H" CLASS Reason Code is used when the case is an open Hague Convention Child Abduction case.
 - (3) Search for passport information regarding the minor in the American Citizens Record Query system (ACRQ) or the Travel Document Issuance System (TDIS) Query and the Passport Information Electronic Records System (PIERS).
- NOTE:** The ACRQ database will eventually replace TDIS Query and PIERS as the sole search engine for passport records.
- 4) If a pending (unissued) record is found, contact the passport agency/center or post immediately and inform them to stop issuance on the passport application.
 - (5) If an issued record is found, include that information in your correspondence to the concerned requestor (see also 7 FAM 1370 Appendix Q for further actions, if necessary).
 - (6) Respond in writing (e.g., letter or email) to the inquiry from the concerned party advising them of the actions taken to date, whether a passport was located, and what further documentation may be needed to deny a passport for the minor if an application is received from the non-requesting parent.
 - (7) Send supporting documentation to the Charleston Passport Center (CA/PPT/CPC) for scanning into PLOTS.

Send to:

U.S. Department of State
Charleston Passport Center
Building D
1269 Holland Street

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Charleston, SC 29405

- (8) Possible Fraud Actions. If the requesting parent/guardian claims he/she did not provide consent for the issued passport, the application will be reviewed for possible fraud (e.g., the consent was forged, or the applying parent made a false statement of special circumstance on a Form DS-3053). CA/OCS/CI Prevention will:
- (a) Ask the passport agency/center or overseas post to scan and email the entire case to CA/OCS/CI at PreventionMatters@state.gov. The agency/center or post also must email a copy of the entire case to their CA/FPP liaison officer;
 - (b) CA/OCS/CI will review the case, and in concert with CA/OCS/L, determine whether to refer the matter to Diplomatic Security (DS) for investigation. CA/OCS/CI will advise CA/FPP of their determination (See also 7 FAM 1353.8-8.); and
 - (c) If fraud is determined, CA/OCS/L will advise Passport Services' Legal Affairs Division (CA/PPT/L/LA) at CA-PPT-Revocations@state.gov and provide them with copies of the entire case and any investigatory information developed by DS. CA/PPT/L/LA will take appropriate revocation action on the issued passport per guidance in 7 FAM 1380 Passport Denial, Revocation, Limitation, Restriction and Surrender.

7 FAM 1350 APPENDIX Q ACTIONS TAKEN ON "C" AND "H" CLASS RETURN CASES

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- a. CPIAP CLASS returns can be cleared only by CA/OCS/CI Prevention Branch CPIAP officers.
- b. Prevention Branch Officers must consult with CA/OCS/L during the review and clearance process if there is any question regarding the meaning of a court order, if there are conflicting court orders, if multiple jurisdictions may be involved in the case, or if the applying parent is claiming special or exigent circumstances. CA/OCS/L should also be consulted if a parent challenges the Officer's assessment of a custody order or a parent's attorney is contacting Prevention directly for information.
- c. CA/OCS/CI will clear CPIAP CLASS returns for a variety of reasons. For example:
 - (1) The parent who requested the entry of the minor into CPIAP (requesting parent) provides notarized written consent to the issuance of the passport to the child;
 - (2) The applying parent has provided documentation demonstrating authority to apply for the minor's passport with his/her signature only, and the

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requesting parent/guardian fails to provide documentation sufficient to deny the issuance within 30 days after being notified of the passport application by CA/OCS/CI;

- (3) The applying parent is the same parent as the requesting parent and has provided documentation demonstrating authority to apply for the minor's passport with his/her signature only; and
- (4) The applying parent has demonstrated to CA/OCS/L that sufficient special or exigent circumstances (see 7 FAM 1353.8) exist to allow passport issuance without the objecting parent's consent.

NOTE: When clearing on special exigent circumstances, CA/OCS/L can only base its decision on whether or not the circumstances presented, if credible, meet the requirements under U.S. law and regulation. Exigent or special family circumstances must be determined by the senior passport authorizing officer pursuant to guidance issued by the Department. (See 22 CFR 51.28a(5)(iv) and 7 FAM 1353.8.)

- d. When a "C" or "H" namecheck hit is returned by CLASS, the domestic passport agency or overseas post must:
 - (1) Immediately email copies of the entire application and submitted documentation to CA/OCS/CI at PreventionMatters@state.gov; and
 - (2) Indicate the level of urgency for the application – if it is a public counter will call application, "Will Call" or "Urgent" will be listed as part of the subject information. The Prevention Branch will give these cases higher priority.
- e. Prevention Branch officers will review the existing CPIAP case and pending passport application to determine what action to take:
 - (1) When the applying parent is the requesting parent, the officer will, in consultation with CA/OCS/L as necessary, determine whether he/she has provided sufficient documentation with the pending application giving her/him appropriate authority to apply for the minor's passport with his/her signature only (see 7 FAM 1353.7). The officer will transmit (within a reasonable time depending on the travel need identified) the decision to the passport agency or overseas post per 7 FAM 1350 Appendix Q paragraph f below;
 - (2) When the applying parent is not the requesting parent, the officer will, in consultation with CA/OCS/L as necessary, determine whether the existing CPIAP file and passport application contains sufficient documentation to meet the two-parent consent requirement under 22 CFR 51.28. The CA/OCS/CI Prevention officer will then contact the requesting parent; and
 - (a) If the requesting parent has no objection to issuance of the passport to the minor, the officer will require that he/she provide notarized written consent to CA/OCS/CI with a photocopy of his/her acceptable

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identification document;

- (b) If the requesting parent still has an objection to issuance of the passport to the minor, but the applying parent has sole authority to receive a passport per the papers included in the application, CA/OCS/CI will generally allow 30 days for that parent to try to resolve the matter through other means, including court action. CA/OCS/CI will inform the requesting parent in writing (either by email or regular mail) that the hold on passport processing will be released unless CA/OCS/CI receives a superseding court order within 30 days or the parties come to an agreement. After the 30 days have expired, CA/OCS/CI will inform the passport agency or overseas post per 7 FAM 1350 Appendix Q paragraph f below;
 - (c) If the requesting parent has an objection to the issuance of a passport to the minor, and the requesting parent's consent to the issuance is required, CA/OCS/CI will inform the passport agency or overseas post per 7 FAM 1350 Appendix Q paragraph f below; and
 - (d) If, after several attempts, CA/OCS/CI cannot contact the requesting parent, CA/OCS/CI will inform the passport agency or overseas post per 7 FAM 1350 Appendix Q paragraph f below.
- (3) When a non-parent (e.g., the court or law enforcement) is the requesting party, the officer will contact the requesting party and inform them about the passport application. If the requesting party does not consent to the passport issuance, CA/OCS/CI will consult with CA/OCS/L for further guidance.
- e. During the review process, Prevention Officers may contact the applying parent, as necessary, to gather additional information and inform them of the status of the application.
 - f. Communicating the decision to the domestic passport agency/center or overseas post.
 - (1) When the CA/OCS/CI Prevention Branch CPIAP officer reaches a determination regarding the appropriate action to take regarding the "C" or "H" CLASS hold, that decision will be sent to the passport agency or post in an email titled "C or H CLASS Hold Clearance Sheet". The adjudicator must appropriately annotate the override of the CLASS hold on the application (see 7 FAM 1340 Examination and Adjudication of Passport Applications). The Clearance Sheet must be attached to the application;
 - (2) The CA/OCS/CI Prevention Branch CPIAP officer must fully complete the Sheet by checking the appropriate box supporting their decision; and
 - (3) The CA/OCS/CI Prevention Branch will prioritize the review of urgent or "Will Call" public counter application situations.
 - g. Follow-up actions. The CA/OCS/CI Prevention Branch CPIAP officer must

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complete all follow-up actions including:

- (1) Record the issue/do not issue clearance information into the CPIAP case located in PLOTS; and
- (2) If the passport was issued, provide the requesting parent with information on the issued passport to the minor. Alternatively, if the passport was not issued, send the requesting parent the appropriate letter.

NOTE: Even if the "C" or "H" CLASS hold is cleared by the CA/OCS/CI Prevention Branch, other deficiencies in the application may be detected. If that happens, the passport agency/center or overseas post is to advise CA/OCS/CI of the reason why the passport is not issued.

- h. Passport issuance or denial. Once the passport agency/center or overseas post receives the hold clearance sheet from CA/OCS/CI, the passport agency/center or overseas post will be responsible for completing the adjudication of the application and either issuing the passport or denying the application (and sending the appropriate IRL or denial letter in accordance with established procedures).

NOTE: If CA/OCS/CI clears the "C" or "H" CLASS hold, the agency/center or overseas post must ensure that the passport application meets all other requirements prior to issuance. CA/OCS/CI's clearance is only with respect to the two parent consent requirement and CLASS hold.

7 FAM 1360 APPENDIX Q REMOVAL OF MINOR FROM CPIAP

(CT:CON-450; 03-25-2013)

- a. A minor is automatically removed from CPIAP (and CLASS) when he/she reaches the age of 18.
- b. To remove a minor from CPIAP prior to reaching age 18, CA/OCS/CI must receive a notarized statement and photocopy of the requesting parent's identification document asking that the minor(s) be removed from the program.
- c. Only the parent, guardian, person, or entity who requested the minor's entry into CPIAP can request the child's removal from the program.
- d. When the request to remove the minor from CPIAP is received, CA/OCS/CI must:
 - (1) Remove the minor's information from CLASS; and,
 - (2) Annotate in PLOTS that the requesting parent/guardian (court, legal representative) requested removal of minor from CPIAP and close case in PLOTS.

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7 FAM 1370 APPENDIX Q THROUGH 1390 APPENDIX Q UNASSIGNED